



STATE OF MICHIGAN
BUREAU OF ELECTIONS
LANSING

May 23, 2022

REVIEW OF NOMINATING PETITION

GEORGE LYONS

Nonpartisan Candidate for 12th District Judge, Incumbent Position

NUMBER OF VALID SIGNATURES REQUIRED: 600 signatures.

TOTAL FILING: 741 signatures.

RESULT OF FACE REVIEW: 555 valid signatures, 186 invalid signatures.

Total number of signatures filed		741
Jurisdiction errors (no city in county known by name given by signer, dual jurisdiction entry, jurisdiction name given by signer does not align with address)	Less:	7
Date errors (no date given by signer, date of birth entered, or date given by signer is later than circulator's date of signing)	Less:	53
Address errors (no street address or rural route given)	Less:	1
Circulator errors (circulator did not sign or date petition, out of state circulator failed to mark checkbox, etc.)	Less:	59
Heading errors (incorrect or omitted information in the heading; incorrect designation)	Less:	62
Miscellaneous errors (wrong candidate name in the heading)	Less:	4
TOTAL		555

In total, staff's face review of Mr. Lyons' petition sheets identified 186 invalid signatures and 555 facially valid signatures, which dropped him below the 600 signature threshold and rendered him ineligible for the ballot.

DESIGNATION ERRORS: Staff identified 80 signatures on petition sheets where the wrong incumbency status was listed in the title of office. The Michigan Election Law requires the heading of the petition state the office for which the candidate is filing. For judicial offices, the candidate must state whether that office is an incumbent position or a non-incumbent position. MCL 168.467b. The designation changed from non-incumbent to incumbent on April 11, 2022, the date on which Judge Robert K. Gaecke, Jr. was sworn in and filed his affidavit of candidacy with the Bureau of Elections.

When an open judicial seat is filled by an appointment while nominating petitions are being circulated, signatures gathered prior to the date on which the appointee files their affidavit of candidacy are valid so long as the signature sheet identifies the office sought as a non-incumbent position. Once the appointee files an affidavit of candidacy, the office sought switches from a non-incumbent position to an incumbent position, and signatures gathered after the appointee has filed their affidavit of candidacy must be gathered on petition sheets that identify the office sought as an incumbent position. The day the appointee files their affidavit of candidacy, petition sheets may identify the office sought as either an incumbent or non-incumbent position.

Here, any signatures gathered on or before April 10, 2022 must have been collected on a non-incumbent petition sheet while signatures gathered on or after April 12, 2022 must have been collected on an incumbent petition sheet. Signatures gathered on April 11, 2022 could have collected on either an incumbent or non-incumbent petition sheet.

CHALLENGE: James Carl Reed and Steven Maxwell Dockery Reed filed a challenge to 189 signatures. However, the challenge was not processed because based on Staff's face review, Mr. Lyons already did not have sufficient valid signatures to qualify for the ballot.

STAFF RECOMMENDATION: Determine petition insufficient.